

Petition for a Declaratory Order for a Floodplain Determination



For confinement feeding
operations with less than
1,000 animal units using
formed storage

Petition by _____ for a Declaratory Order as required by 567 Iowa
(Petitioner's Name) Administrative Code (IAC) 65.8(3) "d" and "e."

This form is provided for the convenience of the owners of proposed confinement feeding operations who must file a petition for a declaratory order. An owner must file a petition for a declaratory order if both of the following apply:

- 1) when planning to build, expand or modify a confinement feeding operation that will have less than 1,000 animal units using formed storage; and
- 2) where the Department of Natural Resources (DNR) has confirmed that the proposed location is on alluvial soils

The purpose of this declaratory order is to ask the DNR to determine if the proposed location is on a 100-year floodplain.

Please fill in the asterisked items (numbers 1, 4, 6, 7 and 9). The other items have already been completed for you.

*1. Please include all of the following information:

_____ (Name of the facility)	_____ (Legal description of the site: ¼ ¼ Section, Tier, Range, Township and County)
_____ (Dimensions of the proposed structure)	_____ (Type of animals and number of head (or animal units))

☐ Please attach an aerial photo with the footprint of the proposed structure(s) clearly marked.

Aerial photos can be found online at

http://igsims.igsb.uiowa.edu/website/livestock_burial_zones/viewer.htm?Layers=100001111011111001101 (this DNRWeb site shows potential alluvial soils) or at <http://ortho.gis.iastate.edu/> or at your local NRCS office).

2. The law pertaining to this matter is 567 IAC 65.8(3) "d" and "e" concerning the construction of a confinement feeding operation structure on the 100-year flood plain.

3. The petitioner wants to know: Is the proposed structure on the 100-year flood plain?

*4. Please list or describe why you think the proposed site is or is not located on the 100-year flood plain.

5. I am requesting a declaratory order because the proposed site for my confinement appears to be on alluvial soils.

*6. Please indicate whether the petitioner is currently a party to another proceeding involving the questions at issue and whether, to the petitioner's knowledge, those questions have been decided by, are pending determination by, or are under investigation by, any governmental entity.

*7. Please list below the names and addresses of other persons, or a description of any class of persons, known by petitioner to be affected by, or interested in, the questions presented in the petition.

8. Please state whether or not you would like to request a meeting with the DNR flood plain program (as provided for by 561 IAC 6.7).

*9. Signature: _____ Date: _____
(Petitioner's original signature is required.)

_____ (Print petitioner's name)	_____ (Petitioner's phone number)
_____ (Street Address)	
_____ (City, State, Zip Code)	

Please mail the original petition to:

Kelly Stone, Flood Plains Program
C/o Director, Iowa Department of Natural Resources
Henry A Wallace Building
502 East 9th Street
Des Moines, Iowa 50319-0034

Please mail a copy of the petition to:

Claire Hruby
Iowa Department of Natural Resources
Henry A Wallace Building
502 East 9th Street
Des Moines, Iowa 50319-0034